

1 KAITLYN M. BURKE, ESQ., Bar # 13454
2 LITTLER MENDELSON, P.C.
3 3960 Howard Hughes Parkway
Suite 300
3 Las Vegas, NV 89169-5937
Telephone: 702.862.8800
4 Fax No.: 702.862.8811
Email: kmburke@littler.com

5 Attorneys for Defendant
6 ACCEPTANCE NOW

7
8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10
11 ROXANNE WHITTUM, individually and
on behalf of all and others similarly
situated,

12 Plaintiff,
13 vs.
14 ACCEPTANCE NOW,
15 Defendant.

16 Case No. 2:18-cv-01574-JAD-PAL

17
18 **STIPULATION AND ORDER TO EXTEND
TIME TO FILE A RESPONSIVE
PLEADING**

19 **[SECOND REQUEST]**

20 Plaintiff ROXANNE WHITTUM, individually and on behalf of all and others similarly
21 situated (“Plaintiff”) and Defendant RENT-A-CENTER, WEST, INC. d/b/a ACCEPTANCE NOW
22 WEST, LLC¹ (“Defendant” or “RAC”), by and through their respective counsel of record, hereby
23 request that the Court extend the deadline for Defendant to file its first responsive pleading, which is
24 currently set for September 24, 2018, for a period of 14 days, until October 8, 2018. This is the
25 second stipulation for an extension of time to file the first responsive pleading. Any and all defenses
26 are preserved and retained and that no defense is waived by this request. Specifically, Defendant
preserves its right to compel arbitration, which the Parties agree is expressly preserved and not
waived.

27
28

¹ Plaintiff incorrectly identified RAC as Acceptance Now.

1 This request is made in good faith and not to cause unnecessary delay as Defendant has
2 identified the existence of an Arbitration Agreement that it contends covers the claims at issue in this
3 matter. The Parties are currently working in good faith to discuss this case and the issues related to
4 Defendant's contention that this matter is subject to arbitration. As a result, the extension requested
5 is for a limited and reasonable amount of time to provide the Parties with the opportunity to fully and
6 properly discuss these issues, as well as others related to the allegations of the Complaint.

7 Dated: September 20, 2018.

Dated: September 20, 2018.

8 Respectfully submitted,

Respectfully submitted,

10 /s/ Miles N. Clark, Esq.

11 **KNEPPER & CLARK, LLC**
MATTHEW I. KNEPPER, ESQ.
MILES N. CLARK, ESQ.

13 **HAINES & KRIEGER, LLC**
DAVID H. KRIEGER, ESQ.

14 Attorneys for Plaintiff
ROXANNE WHITTUM

10 /s/ Kaitlyn M. Burke, Esq.

11 **LITTLER MENDELSON, P.C.**
KAITLYN M. BURKE, ESQ.

12 Attorneys for Defendant
ACCEPTANCE NOW

16 **IT IS SO ORDERED**

17 
18 UNITED STATES MAGISTRATE JUDGE

19 DATED: September 21, 2018

21 FIRMWIDE:157122494.1 999999.6640